

Message Text

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ORIGIN L-03

INFO OCT-01 EUR-12 ISO-00 SSO-00 NSCE-00 INRE-00
ICAE-00 AID-05 CEA-01 CIAE-00 COME-00 EB-08 EA-10
FRB-03 INR-10 IO-13 NEA-11 NSAE-00 OPIC-03 SP-02
TRSE-00 LAB-04 SIL-01 AGRE-00 OMB-01 SS-15 JUSE-00
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FM SECSTATE WASHDC
TO AMEMBASSY BONN IMMEDIATE

C O N F I D E N T I A L STATE 144481

E.O. 11652: GDS

TAGS: EGEN, EINV, UN, OECD

SUBJECT: OECD SUPPORT FOR ILLICIT PAYMENTS AGREEMENT

REFS: (A) BONN 10320; (B) PARIS 17852

1. NEGATIVE FRG ATTITUDE REPORTED REF (A) IS NOT CONSONANT WITH THE PROGRESS MADE TOWARDS AN OECD CONSENSUS ON SUBSTANCE OF AN AGREEMENT IN PARIS LAST WEEK (REF B). WHILE FRG STILL CONCERNED ABOUT ASSURING HOST GOVERNMENT COOPERATION IN HOME COUNTRY PROSECUTIONS, FRG REP AT PARIS TALKS (HEIN) GAVE NO INDICATION FRG WOULD ATTEMPT TO BLOCK OECD CONSENSUS ON MOVING AHEAD PROMPTLY WITH DIPLOMATIC CONFERENCE.

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2. WE RECOGNIZE NEED FOR DEVELOPING COUNTRY SUPPORT FOR AN AGREEMENT ON ILLICIT PAYMENTS AND WILL BE WORKING TO OBTAIN THAT SUPPORT IN ECOSOC WORKING GROUP WHICH MEETS THE LAST WEEK OF JUNE AND IN ECOSOC. ONLY CERTAIN MEANS OF MOVING LDC'S TO FOCUS SERIOUSLY ON THE ISSUE IS TO SCHEDULE A DIPLOMATIC CONFERENCE TOGETHER WITH THE NECESSARY PREPARATORY WORK.

3. OTHER FRG CONCERNS (PARA. 2, REF. A) MAY REFLECT EITHER LACK OF INFORMATION ON WORK DONE IN PARIS LAST WEEK OR ATTEMPT TO FIND NEW REASONS TO OBJECT NOW THAT THERE IS SUBSTANTIAL OECD AGREEMENT ON THE SUBSTANCE OF A TEXT. SPECIFICALLY, THERE IS NO PROBLEM OF PUBLIC REPORTING OF ILLICIT PAYMENTS. USG HAS WITHDRAWN ALL PROPOSALS FOR PUBLIC DISCLOSURE AND REPORTING. NEW USG TEXT ON RECORD-KEEPING OF AGENTS' FEES RECEIVED WARM WELCOME FROM OECD DELS WITH EXCEPTION OF PROVISION FOR RECORD-KEEPING BY FOREIGN SUBSIDIARIES. USDEL INDICATED FLEXIBILITY ON THIS ISSUE AND SAID USG WOULD NOT LET THIS QUESTION STAND IN THE WAY OF AN AGREEMENT. AS REGARDS EASTERN EUROPEAN COUNTRIES, WE ARE DOUBTFUL THEY WOULD PARTICIPATE IN AN AGREEMENT IN THE FORESEEABLE FUTURE AND DO NOT BELIEVE THEIR SUPPORT IS NEEDED FOR AN AGREEMENT. VANCE

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